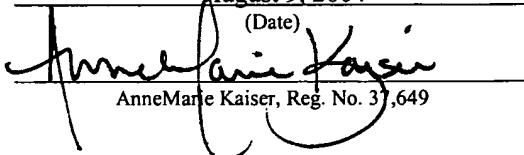


In re application of : Botstein, et al. *O I P E*
 App. No. : 10/033,223 *AUG 12 2004*
 Filed : December 27, 2001 *TRADEMARK CERTIFICATE NO.*
 For : A NUCLEIC ACID AMPLIFIED
 IN LUNG AND COLON
 TUMORS (as amended herein)
 Examiner : Spector, Lorraine
 Art Unit : 1647

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 9, 2004
 (Date)

 AnneMarie Kaiser, Reg. No. 37,649

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED

| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDITIONAL FEE |
|---|---------------------------------------|------------------|------|-------------------|
| Total Claims 17 — 20 = 0 × \$18 = \$0 | | | | |
| Independent Claims 3 — 3 = 0 × \$86 = \$0 | | | | |

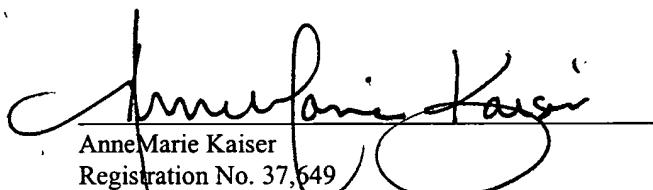
If application has been amended to contain multiple dependent claim(s), then add \$290 = \$0

Time Extension Fee \$0

 TOTAL ADDITIONAL FEE
 FOR THIS AMENDMENT \$0

- (X) A copy of the Declaration of Paul Polakis, Ph.D., a copy of the Declaration of J. Christopher Grimaldi and three supporting references, and a copy of the Declaration of Avi Ashkenazi, Ph.D. are enclosed.
- (X) Copy of PTO-1449 submitted May 14, 2002 with detailed information regarding cited sequences.
- (X) Relevant portions of PCT/US99/28634.

- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.
- (X) Please use Customer No. 30,313 for the correspondence address.

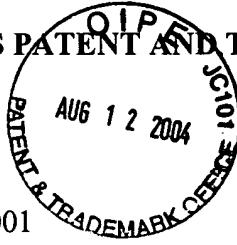


Anne Marie Kaiser
Registration No. 37,649
Attorney of Record
Customer No. 30,313
(619) 235-8550

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Botstein, et al.
 Appl. No. : 10/033,223
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 Examiner : Spector, Lorraine
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CERTIFICATE OF MAILING

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August 9, 2004

(Date)

AnneMarie Kaiser, Reg. No. 37,649

AMENDMENT AND RESPONSE TO OFFICE ACTION

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed May 13, 2004, Applicants submit the following amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 11 of this paper.

Remarks/Arguments begin on page 16 of this paper.